



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, MAY 14, 2019 at 7:00 PM
COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY**

MINUTES

In Attendance:

Council: Mayor Ron McLaughlin
Councillor Neville Abbott
Councillor Fred Bain
Councillor Norm Barmeier
Councillor Jaime Cunliffe

Staff: Chief Administrative Officer Peter DeJong
Chief Financial Officer Pamela Rooke
Public Works Manager Nai Jaffer
Office Coordinator Shawna Gilroy (Recorder)

Delegations: 0

Public: 7

1. Call to Order

Mayor McLaughlin called the meeting to order at 7:06 p.m.

2. Adoption of Agenda

Moved/Seconded

THAT item 9B Food Truck for Arts & Garden Festival be added; and
THAT the agenda be adopted, as amended.

CARRIED

3. Public Participation (2 minutes per person totalling 10 minutes maximum)

A. Farrah Azordegan

Mrs. Azordegan reiterated the issues in the lower Kelvin Grove parking lot noting she sent a letter on March 25th to Council providing her solutions. She explained that over the weekend with the nice weather, there were RVs parked in front of their home and the people proceeded to BBQ their food in the parking lot. She was concerned of the smoke from the BBQ and had spoken with the visitors about it, and also queried where

the towing signs are as well as the rest of the signs. Mrs. Azordegan also expressed concern regarding people who have been having campfires on the beach, posing a risk of wildfires.

B. Kambiz Azordegan

Mr. Azordegan asked when the filming rules would be changed back to the way they used to be instead of being used for the benefit of certain people at the expense of the home owners who are directly affected by it. He also expressed concern about the parking issues in lower Kelvin Grove advising that it is disrupting their quality of life. He stressed that it is the residents who pay for the taxes and the others have no reason to come here.

C. Vivienne O’Keeffe

Ms. O’Keeffe of 70 Isleview Place followed up with items pertaining to the Tree Committee meeting held last Thursday, noting concern with the Chair volunteering to grant the tree permit on Right of Way land in perpetuity. She requested that she be consulted when the topping of the trees occurs on the Right of Way to ensure she is home to confirm no trees are mistaken for trees on her private property, and that no topping be done during bird nesting season. She also expressed that she was concerned about the health of the trees and the stability of the slope.

Item 8Di was considered next, after which the remainder of the Agenda continued in order.

4. Public Delegation Requests Accepted by Agenda Deadline (10 minutes maximum)
None

5. Review & Approval of Minutes of Prior Meetings

A. Regular Council Meeting – May 7, 2019

The following was amended:

- Item 8Biii – strike the words “spoke with both the MLA and” and add “MLA and” before “MP”;
- Item 8Biv – strike the word “four” and replace with “other three”, and strike the word “schedule” after “agreed to” and replace with “consider”;
- Item 11A, R4: amend the resolution by adding “for a trial period” after “trailhead”.

Moved/Seconded

THAT the Regular Council Meeting Minutes of May 7, 2019 be approved as amended.

CARRIED

6. Business Arising from the Minutes
None

7. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

#	Meeting Date	Description of Action Item	Action
76	March 19, 2019	Staff to consider the creation of a policy for the Infrastructure Committee and report back to Council.	[in progress]
83	April 2, 2019	Item 8Aiii: Investigate option of falling outside the UCB to avoid future bylaws intended for larger municipalities	[in progress]
88	April 16, 2019	Councillor Abbott to follow up with former Mayor Douglas Miller re. BC Hydro Tiers	[CAO DeJong to check on potential for making this a UBCM resolution and bring it back to Council]
90	April 16, 2019	R4: Jennifer Monroe – Tree Cutting or Deforestation on School District property	[in progress]
92	April 16, 2019	R6: Penny Nelson – Public Consultation	[in progress]
93	May 7, 2019	R1: Karl Buhr – ASOD – CAO to send letter to the Minister advocating that the issue has not been addressed.	[completed]
94	May 7, 2019	R4: Betty Birrell – Outhouse – CAO DeJong to reply.	[completed]

Audio: 00:38

8. Reports

A. Staff

i. CAO: Request for Decision – 1 Brunswick Beach Road Encroachment Application

CAO DeJong advised Council that the Building Inspector recently discovered construction work of a deck at 1 Brunswick Beach Road, situated wholly on the esplanade beyond the property in question. After close examination it turned out the deck was being built on top of an old existing one. The owner was instructed to cease work and to apply for an Encroachment Agreement. He noted that the owner had fallen through the old deck which prompted the rebuild of the new one. After reviewing the property file materials and discovering an unsigned Encroachment Agreement for a carport on Village property, it appeared that there were different understandings of which encroachments were allowed to remain on roadways, boulevards and esplanades, to which Council then adopted a policy in 2004. He noted that the Encroachment Agreement did not mention the sundeck. The owner of the property was present at the meeting and had an unexecuted, unregistered draft copy of her Encroachment Agreement for the carport along with a receipt of payment; however

CAO DeJong was uncertain that an agreement had been registered on title and that further investigation was required in that respect.

Moved/Seconded

THAT the owner of 1 Brunswick Beach Road, Jane Moloughney, be offered an opportunity to retain the deck structure wholly situated within the Esplanade in front of her property, on condition that she:

- (a) retain a registered surveyor to prepare a registrable survey showing the location of the deck and carport in relation to the owner's property;
- (b) sign an Encroachment Agreement, amended as discussed in respect of safety and compliance; and
- (c) execute before a lawyer or notary public a Section 219 Covenant to be registered in the Land Title Office, in respect of the deck and the carport,

with both the Encroachment Agreement and the Section 219 Covenant in substantial accordance with the drafts shown in attachment 4 to this report.

CARRIED

Audio: 01:02

ii. CAO: Information Report – 2019 Parking Plan

CAO DeJong provided an update on the 2019 Parking Plan noting that a three-year expiry for the transferable parking permits was deemed the best option, and that staff have conducted research to find a product that could be easily attached and removed from the inside windshield that was easy to see but would not bleed ink, which were the two main issues that arose previously. He also advised Council that the parking meters were installed today and the Lions Bay Beach Parking Lot is in the process of being regraded and should be paved by next week, after the long weekend. It was also noted that the Bylaw Enforcement Officers from last year were re-hired and had training last week and will begin their shifts this Friday. The Public Works staff will also receive training in respect to ticketing and will carry books in their trucks; however it was stressed that it was not intended to be a key function of their jobs, only for emergency situations or when they drive past a problem area and have the opportunity to write a ticket. The Village website will be updated this week to reflect the new parking information.

Moved/Seconded

THAT the Information Report, "2019 Parking Plan" be received.

CARRIED

Audio: 01:13

iii. PWM: Information Report – Core Service Level Review – Public Works Workplan

PWM Jaffer presented the Core Service Level Review slideshow and Council discussed the workplan with respect to priorities (i.e. mandatory or essential tasks related to water, roads, bridges, etc. vs. discretionary ones such as boulevard maintenance and community event set-ups, etc.) Staff will bring a more comprehensive report in July regarding a proposed Boulevard Maintenance Bylaw.

Moved/Seconded

THAT the Information Report, “Core Service Level Review – Public Works Workplan” be received.

CARRIED

Audio: 01:58

iv. CFO: Information Report – 2019 Additional Provincial School Tax

CFO Rooke explained that in 2018, the provincial government brought in an additional school tax on any properties over \$3 million at an increase of 0.2% and for properties over \$4 million an increase of 0.4%. She reiterated that it is a Provincial tax, not municipal, and was unaware if affected homeowners have been notified by the Province. It was determined that staff will include an educational piece in the Village Update about how deferring taxes works.

Moved/Seconded

THAT the Information Report “2019 Additional Provincial School Tax” be received.

CARRIED

v. CFO: Information Report – Accounts Payable Cheque Listing

Council reviewed the Accounts Payable Cheque Listing summarizing all cheques and electronic payments from January 1, 2019 to March 31, 2019, exclusive of payroll.

Moved/Seconded

THAT the Information Report “Accounts Payable Cheque Listing” be received.

CARRIED

vi. CAO: Information Report – DC Fast Charging Station – Resident Feedback

Councillor Barmeier advised Council that he has been in contact with BC Hydro directly and has determined that once an area has been located for a DC Fast Charging Station, the next step would be to engage them with a service request. They would then look at the intended location, whether it’s electrically practical to get the power at that location, and then put a cost estimate together. He explained that many homes are limited to a 100-amp panel and are unable to install chargers, and an upgrade to a 200-amp panel is a costly and complicated process. Councillor Barmeier will continue to research and bring information back to Council as it arises.

Moved/Seconded

THAT the Information Report “DC Fast Charging Station – Resident Feedback” be received.

CARRIED

B. Mayor

None

C. Council

None

D. Committees

i. Trees, Views and Landscapes Committee – Tree Application #93

This item was discussed during the Public Participation portion of the meeting with Ms. O’Keeffe and was considered by Council immediately after Public Participation.

Moved/Seconded

A. THAT upon receipt of the following requirements:

- (a) \$500 damage deposit;
- (b) Name of arborist/contractor;
- (c) Proof of insurance (\$5 million liability coverage with Village of Lions Bay named as an additional insured; and
- (d) Proof of WorkSafe BC Certification;

the applicant is permitted outside of the period March 1-July 31 to:

- (1) cut down the Hemlock trees identified in Application #93 which are on Municipal property, but cannot cut the Japanese Cedar; and
- (2) subject to notification per Part B, section (a) of this resolution, carry out tree topping work for the trees in the right of way between 60 and 70 Isleview Place, as requested in Application #93, in accordance with the captioned photographs submitted with the application, and subject to limiting topping heights to the topping heights previously approved and implemented.

B. THAT Part 2 of Tree Cutting Permit #93 may be repeated annually until October 15, 2022, subject only to confirmation prior to any cutting of:

- (a) one week prior notification of neighbours at 60 and 70 Isleview Place;
- (b) an acceptable traffic control plan;
- (c) proof of insurance, WorkSafe BC requirements, and damage deposit; and

THAT Council reserves the right to amend or cancel the term of the permit at any time.

C. THAT the applicant must clean up and remove all debris associated with the permissions granted by Tree Cutting Permit #93.

CARRIED

E. Emergency Services

i. RCMP Monthly Report

Council reviewed the monthly RCMP report.

Moved/Seconded

THAT the RCMP Monthly Information Report be received.

CARRIED

Audio: 02:22

9. Resolutions

A. Appointment of Bylaw Enforcement Officers

Moved/Seconded

THAT the Council of the Village of Lions Bay hereby appoints Mike Kumar and Sarbjit Johal as Bylaw Enforcement Officers with the powers, privileges, responsibilities, duties and functions as specified in Schedule “B” to Bylaw Enforcement Officer Bylaw No. 506, 2016, as amended.

CARRIED

B. Food Truck for Arts & Garden Festival

After the Events Committee attempted to bring food trucks to certain events a couple of years ago, it was determined that the food trucks must be licensed accordingly by Vancouver Coastal Health and must comply with their requirements. The municipality did not proceed with a policy for food trucks at that time, and a recommendation was made to allow them for certain events only. The Arts and Garden Festival organizers have requested a resolution from Council to allow a food truck at their event this month.

Moved/Seconded

WHEREAS the Arts & Garden Festival organizers wish to include a food truck vendor in their 2019 event program being staged in the vicinity of 150-170-190 Lions Bay Avenue, Council hereby resolves as follows:

THAT the provisions of Traffic and Parking Bylaw No. 413, as amended, be relaxed to allow for a food truck in the vicinity of 150-170-190 Lions Bay Avenue on Sunday, May 26, 2019; and

THAT staff attend to the requisite agreement with the food truck vendor in advance of the event and ensure the host properties have sufficient Guest Parking Passes for non-resident attendees.

CARRIED

Audio: 02:29

10. Bylaws

A. Bylaw Enforcement Officer Bylaw No. 506, 2016, Amendment Bylaw No. 562, 2019 – Adoption

Moved/Seconded

THAT Bylaw Enforcement Officer Bylaw No. 506, 2016, Amendment Bylaw No. 562, 2019 be adopted.

CARRIED

B. Fees Bylaw No. 497, 2016, Amendment Bylaw No. 563, 2019 – Adoption

Moved/Seconded

THAT Fees Bylaw No. 497, 2016, Amendment Bylaw No. 563, 2019 be adopted.

CARRIED

11. Correspondence

A. List of Correspondence to May 9, 2019

Moved/Seconded

THAT the following actions be taken with respect to the correspondence:

- G1: Letter from MP Pamela Goldsmith-Jones – no response
- G2: Building BC Community Housing Fund – no response
- G3: City of Burnaby re. Expanding Investment Opportunities – no response
- G4: City of Maple Ridge – Temporary Modular Support Housing – no response
- R1: Brenda Broughton – Noise and Parking Bylaw Relaxation Request –
The proposed resolution was discussed and it was noted that angle parking is not feasible at the applicant's location without ruining the grass and that the applicant could be provided with Guest Parking Passes from the Village Office.

Moved/Seconded

THAT Council relax the Noise Bylaw and the Traffic and Parking Bylaw to allow live music until 10:30 pm at 190 Lions Bay Avenue on July 13, 2019.

CARRIED

- R2: Karl Buhr – EV Charging Station – Councillor Barmeier responded, no further response

CARRIED

12. New Business

None

13. Public Questions & Comments (2 minutes on any topic discussed in this meeting)

None

14. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 9:41 p.m.

Mayor

Corporate Officer

Date Approved by Council:	June 4, 2019
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